



**Inonda v Republic (Criminal Revision E034 of 2023)
[2023] KEHC 23825 (KLR) (19 October 2023) (Revision)**

Neutral citation: [2023] KEHC 23825 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL REVISION E034 OF 2023
JK SERGON, J
OCTOBER 19, 2023**

BETWEEN

GODFREY AMAHI INONDA APPLICANT

AND

REPUBLIC RESPONDENT

REVISION

1. Godfrey Amahi Inonda, hereinafter referred to as the Applicant was convicted of the offence of Grievous Harm contrary to Section 234 of the [Penal Code](#).
2. On October 19, 2017, Hon. B. R. Kipyegon, the then Learned Senior Resident Magistrate sentenced the Applicant to serve 10 years imprisonment.
3. The Proceedings relating to the aforesaid case, that is Kericho C.M C C.R Case No. 2547 of 2013 –Republic-vs-Godfrey Amahi Inonda were placed before this Court pursuant to the provisions of Section 362 and 364 of the [Criminal Procedure Code](#).
4. The Probation Officer filed a sentence review report on July 24, 2023. In the said report it was noted that the applicant had learnt from his bad actions and promised to maintain peace at all costs. The prison authorities stated that Applicant was a reformed individual who had refined his carpentry skills while in custody. The Applicant’s family was willing to welcome him back home and are ready to assist him to integrate back to the family and the community. The probation officer therefore recommended that the applicant completes the remaining term of his sentence on Community Service Order (CSO).
5. The Applicant has so far served six (6) years and is remaining with four (4) years to complete his sentence. The record further shows that the Applicant was a first offender. It would appear the Trial Magistrate did not take that fact into account. Had he done so, he would not have pronounced a sentence of ten (10) years which is excessive in the circumstances.



6. In exercise of its power of revision, this Court is entitled to interfere with the sentence. The sentence review report is favourable. I think the appropriate sentence should have been six (6) years.
7. I hereby set aside the sentence of ten (10) years and substitute it with a sentence of six (6) years. The adjusted sentence should run from the date of sentence i.e. 19th October, 2017.
8. It is apparent that the applicant Namely:- Godfrey Amahi Inonda has fully served the sentence. He should forthwith be released from prison unless lawfully held.

DATED, SIGNED AND DELIVERED THIS 19TH DAY OF OCTOBER, 2023.

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J.K. SERGON

JUDGE

